

## CHAPTER 24:05:33.01

### EXTRAORDINARY COSTS

#### Section

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**24:05:33.01:03. Composition of board.** The membership of the Extraordinary Cost Oversight Board shall include representatives from each of the following groups:

- (1) Department of Education ~~and Cultural Affairs;~~
- ~~(2) South Dakota Legislature;~~
- ~~(3)~~ (2) School districts with an average daily membership of 2,000 or greater;
- ~~(4)~~ (3) School districts with an average daily membership of 360 to 2,000;
- ~~(5)~~ (4) School districts with an average daily membership of less than 360.

**Source:** 23 SDR 31, effective September 8, 1996.

**General Authority:** SDCL 13-37-1.1, 13-37-46.

**Law Implemented:** SDCL 13-37-46.

**24:05:33.01:04. Board alternates.** The secretary shall appoint alternates for the board members as follows to serve in place of a board member who may have a conflict of interest:

- ~~(1) Legislative appointments;~~
- ~~(2)~~ (1) School districts with an average daily membership of 2,000 or greater;
- ~~(3)~~ (2) School districts with an average daily membership of 360 to 2,000;
- ~~(4)~~ (3) School districts with an average daily membership of less than 360.

Alternates shall serve the same term as the equivalent board appointee.

**Source:** 23 SDR 31, effective September 8, 1996.

**General Authority:** SDCL 13-37-1.1, 13-37-46.

**Law Implemented:** SDCL 13-37-46.

**24:05:33.01:07. Required documentation.** A school district's application for extraordinary cost funds must include the following documentation:

- (1) The most recent annual financial report of the school district; and
- (2) For special education funds, the most recent balance sheet and statement of revenues, expenditures and changes in fund balance - budget and actual for the portion of the fiscal year completed, prepared in accordance with generally accepted accounting principles.

The Extraordinary Cost Oversight Board and the secretary of the Department of Education ~~and Cultural Affairs~~ may not consider an application for extraordinary costs funds if the individual education programs do not meet the requirements of this article, the school district does not use generally accepted accounting principles, or special education revenues and expenditures are not recorded in accordance with the accounting manual provided for in SDCL 4-11-6.

**Source:** 23 SDR 63, effective January 1, 1997; 26 SDR 150, effective May 22, 2000.

**General Authority:** SDCL 13-37-1.1.

**Law Implemented:** SDCL 13-37-1.1, 13-37-38, 13-37-39, 13-37-40, 13-37-41.

**Cross-References:**

Individual education program, ch 24:05:27.

Auditing, accounting, and review standards, § 20:37:11:07.

Accounting principles, § 20:37:11:08.

Accounting manual for counties, municipalities, school districts and their agencies, SDCL 4-11-6.

**24:05:33.01:08. Calculation of indirect costs.** School districts must use the restricted indirect cost rate provisions in 34 C.F.R. §§ 75.564 to 75.568, inclusive (~~January 1, 1995~~), as amended to January 1, 2007, in calculating indirect costs as part of the extraordinary cost fund application.

**Source:** 23 SDR 63, effective January 1, 1997.

**General Authority:** SDCL 13-37-1.1.

**Law Implemented:** SDCL 13-37-1.1, 13-37-38, 13-37-39, 13-37-40, 13-37-41.